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6 Attorneys for Plaintiff
 7 JPMORGAN CHASE BANK, N.A., successor by merger to CHASE HOME
 FINANCE LLC, Servicing Agent for MORTGAGE ELECTRONIC
 8 REGISTRATION SYSTEMS, INC., Beneficiary Solely as Nominee for BNC
 MORTGAGE, INC., its Successors and Assigns

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 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 JPMORGAN CHASE BANK, N.A., Successor
 13 by Merger to CHASE HOME FINANCE LLC,
 Servicing Agent for MORTGAGE
 14 ELECTRONIS REGISTRATIONS SYSTEMS,
 INC., Beneficiary Solely as Nominee for BNC
 15 MORTGAGE INC., its Successor and Assigns,

16 Plaintiff,

17 v.

18 TAD MICHAEL PRIZANT; DEVIN DERHAM-
 BURK, TRUSTEE REGARDING DEBTOR
 19 TAD MICHAEL PRIZANT'S PETITION
 UNDER CHAPTER 13 OF THE UNITED
 20 STATES BANKRUPTCY CODE, and DOES 1-
 10, INCLUSIVE

21 Defendants.
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CASE NO.: 12-cv-06577-HRL

JUDGE: Howard R. Lloyd

JUDGMENT PER STIPULATION

ACTION FILED: January 2, 2013

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1 Having considered plaintiff JPMorgan Chase Bank, N.A.'s, successor by merger to Chase
 2 Home Finance LLC, Servicing Agent for Mortgage Electronic Registration Systems, Inc.,
 3 Beneficiary Solely as Nominee for BNC Mortgage, Inc., its Successors and Assigns ("JPMorgan" or
 4 "Plaintiff") and defendant Tad Prizant's ("Defendant") joint stipulation for entry of judgment, and
 5 good cause appearing thereto,

6 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

- 7 1. Judgment in favor of Plaintiff and against Defendant shall be entered as to Plaintiff's
 8 First Cause of Action for Declaratory Relief.
- 9 2. The deed of trust securing payment of a loan in the principal amount of \$413,250.00
 10 ("Loan") that Defendant borrowed from BNC Mortgage, Inc. ("Originator"), and
 11 recorded as to real property commonly known as 1390 Saddle Rack Street, Number
 12 230, San Jose, California 95126 ("Subject Property"), on June 28, 2005 as Instrument
 13 Number 18442653 ("DOT"), is a valid lien that encumbers the Subject Property.
- 14 3. The Loan was originated in compliance with all applicable regulations, including the
 15 Truth in Lending Act, 15 U.S.C. §§ 1601 *et seq.* ("TILA"), and Defendant was
 16 provided with the required disclosures.
- 17 4. Although Defendant received two copies of his "Notice of Right to Cancel" pursuant
 18 to the TILA, in connection with obtaining the Loan, Defendant did not exercise this
 19 right within the three day period.
- 20 5. Defendant does not and will not contest or challenge in any manner foreclosure of the
 21 Subject Property by JPMorgan and/or its assignee(s) or grantee(s).
- 22 6. Plaintiffs' Second, Third, and Fourth Causes of Action against Defendant are
 23 dismissed without prejudice.

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7. Each side to bear its or his own fees and costs.

IT IS SO ORDERED.

DATED: June 6, 2014

By: 

United States District Court Judge
~~District Court~~
Magistrate
HOWARD R. LLOYD

ALVARADO SMITH
A PROFESSIONAL CORPORATION
SANTA ANA